

FILED
UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

12 SEP 20 PM 3: 09

CLERK-LAS CRUCES

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

EIDOLFO DOMINGUEZ-LOPEZ,
a/k/a Palemon Lopez-Romo,
a/k/a "Lindo,"LEONEL MOLINAR, JR.,
a/k/a "Mosquito,"
a/k/a "Moyote,"DAVID GARCIA, JR.,
GILBERT HINOJOSA,
ADRIAN ORDOÑEZ,
LUIS JOAQUIN MALDONADO-
RODRIGUEZ,a/k/a Gustavo Castillo-Ramirez,
a/k/a Heberto Villareal,
a/k/a "Luisito,"GUSTAVO ALCANTAR-AVITIA,
CRISTOBAL ESTRADA ORTIZ,
a/k/a "Don Chris,"

a/k/a "Don Christ,"

CARLOS ALBERTO LUIS CALDERON,
MARTHA DENISE GOMEZ,
BARBARA ERICA RASCON-PEÑA,a/k/a Barbara Erica Peña,
GISELLE LISET ARAGON,
a/k/a "Gordita,"

OMAR MACIAS,

MICHELLE MARQUEZ,

MAURICIO CHAPARRO, and

JESUS MANUEL VELETA-GASTELUM,

Defendants.

CRIMINAL NO. 12- 2333

Count 1: 21 U.S.C. § 846: Conspiracy;

Count 2: 18 U.S.C. § 1956(h): Conspiracy to
Launder Monetary Instruments;Counts 3-4, 20-21: 18 U.S.C.
§§ 1956(a)(1)(B)(i), (B)(ii): Laundering of
Monetary Instruments; 18 U.S.C. § 2;Counts 5-19, 22-28, 30: 21 U.S.C. § 843(b):
Use of a Communication Facility to Further
the Commission of a Drug Trafficking Crime;
18 U.S.C. § 2;Count 29: 21 U.S.C. §§ 841(a)(1) and
(b)(1)(D): Possession With Intent to
Distribute Marijuana; 18 U.S.C. § 2; andCount 31: 21 U.S.C. §§ 841(a)(1) and
(b)(1)(C): Possession With Intent to
Distribute 50 Kilograms and More of
Marijuana; 18 U.S.C. § 2.

INDICTMENT

The Grand Jury charges:

Count 1

Beginning on or about January 23, 2012, and continuing up to and including September 20, 2012, in Doña Ana County, in the District of New Mexico and elsewhere, the defendants, **EIDOLFO DOMINGUEZ-LOPEZ, a/k/a Palemon Lopez-Romo, a/k/a "Lindo," LEONEL MOLINAR, JR., a/k/a "Mosquito," a/k/a "Moyote," DAVID GARCIA, JR., GILBERT HINOJOSA, ADRIAN ORDOÑEZ, LUIS JOAQUIN MALDONADO-RODRIGUEZ, a/k/a Gustavo Castillo-Ramirez, a/k/a Heberto Villareal, a/k/a "Luisito," GUSTAVO ALCANTAR-AVITIA, CRISTOBAL ESTRADA ORTIZ, a/k/a "Don Chris," a/k/a "Don Christ," CARLOS ALBERTO LUIS CALDERON, MARTHA DENISE GOMEZ, BARBARA ERICA RASCON-PEÑA, a/k/a Barbara Erica Peña, GISELLE LISET ARAGON, a/k/a "Gordita," OMAR MACIAS, MICHELLE MARQUEZ, MAURICIO CHAPARRO, and JESUS MANUEL VELETA-GASTELUM,** unlawfully, knowingly and intentionally did combine, conspire, confederate and agree with each other and with other persons whose names are known and unknown to the Grand Jury to commit the following offenses against the United States, specifically, possession with intent distribute controlled substances, 100 kilograms and more of a mixture and substance containing a detectable amount of marijuana, contrary to 21 U.S.C. §§ 841(a)(1) and (b)(1)(B), and a mixture and substance containing a detectable amount of cocaine, contrary to 21 U.S.C. §§ 841(a)(1) and (b)(1)(C).

Overt Acts

In furtherance of the conspiracy, and to accomplish the objectives of the conspiracy, the following acts, among others, were committed:

Overt Act One

On January 23, 2012, Cristobal Estrada Ortiz used \$30,000 of drug proceeds to pay cash for a white 2012 Dodge Ram pickup truck, worth \$48,723.

Overt Act Two

On January 27, 2012, Barbara Erica Rascon-Peña crossed from Mexico into the United States driving a black 2009 Dodge Ram pickup truck – a load vehicle – registered in her name, at the Ysleta Port of Entry, El Paso, Texas, followed a short time later by Giselle Liset Aragon in a second vehicle, and on January 28, 2012, the 2009 Dodge Ram passed through the New Mexico Highway 185 checkpoint, northbound.

Overt Act Three

On January 29, 2012, Cristobal Estrada Ortiz crossed from Mexico into the United States driving a black 2001 Ford F-150 pickup truck – a load vehicle – registered in his name, at the Santa Teresa, New Mexico, Port of Entry.

Overt Act Four

On January 30, 2012, Carlos Alberto Luis Calderon crossed from Mexico into the United States driving a blue 2003 Dodge Ram pickup truck – a load vehicle – registered in his name, at the Santa Teresa, New Mexico, Port of Entry.

Overt Act Five

On February 9, 2012, David Garcia, Jr., Carlos Alberto Luis Calderon, and Cristobal Estrada Ortiz were arrested in Cass County, Iowa, when 32 kilograms (71 pounds) of marijuana were found inside a hidden compartment in the vehicle they were traveling in the black 2001 Ford F-150 pickup truck registered to Cristobal Estrada Ortiz.

Overt Act Six

On February 9, 2012, David Garcia, Jr. told Martha Denise Gomez to call Leonel Molinar, Jr., and tell Leonel Molinar, Jr. that they needed an attorney and for somebody to post bond the next day.

Overt Act Seven

On February 9, 2012, Leonel Molinar, Jr. told David Garcia, Jr. to ensure that Cristobal Estrada Ortiz — a load driver for the organization — did not lose his Resident Alien Card, since Cristobal Estrada Ortiz used that card to cross the border.

Overt Act Eight

On February 10, 2012, David Garcia, Jr. told Martha Denise Gomez to call Leonel Molinar, Jr. and tell “them” that bail had been set at \$5,000 each.

Overt Act Nine

On February 10, 2012, Martha Denise Gomez told David Garcia, Jr. that Leonel Molinar, Jr. had told her that he had the money, but was just waiting for Eidolfo Dominguez-Lopez to wake up.

Overt Act Ten

On February 10, 2012, Martha Denise Gomez sent two \$7,500 wire transfers, totaling \$15,000, from Las Cruces, New Mexico, to Cass County, Iowa, to post bond for David Garcia, Jr., Carlos Alberto Luis Calderon, and Cristobal Estrada Ortiz.

Overt Act Eleven

On February 17, 2012, Gilbert Hinojosa told an associate that he needed four couriers to drive from Ciudad Juarez, Mexico, to Denver, Colorado, Indiana, and Wisconsin, and also stated that he had “twins” for all the load vehicles, meaning a truck that was the same color and serial number as each load vehicle and registration.

Overt Act Twelve

On February 20, 2012, Barbara Erica Rascon-Peña crossed from Mexico into the United States driving the black 2009 Dodge Ram pickup truck – a load vehicle – at the Ysleta Port of Entry in El Paso, Texas, shortly after Giselle Liset Aragon crossed the border through the same Port of Entry, and on February 20, 2012, the 2009 Dodge Ram passed through the New Mexico Highway 185 checkpoint, northbound.

Overt Act Thirteen

On February 27, 2012, Barbara Erica Rascon-Peña crossed from Mexico into the United States driving the black 2009 Dodge Ram pickup truck – a load vehicle – at the Ysleta Port of Entry in El Paso, Texas, followed by Giselle Liset Aragon a short time later in a second vehicle, and on February 29, 2012, the black 2009 Dodge Ram passed through the New Mexico Highway 185 checkpoint, northbound.

Overt Act Fourteen

On March 8, 2012, Gilbert Hinojosa told an associate that “they” needed to know how much the associate owed on his restitution, for the associate to call his probation officer to find out, and told the associate that “they” would pay everything so they could bring the associate down “here” to work for the organization.

Overt Act Fifteen

On March 8, 2012, Barbara Erica Rascon-Peña crossed approximately 177 pounds (80 kilograms) of marijuana from Mexico into the United States inside the black 2009 Dodge Ram pickup truck – a load vehicle – that she was driving at the Ysleta Port of Entry in El Paso, Texas, and Giselle Liset Aragon crossed a short time later in a second vehicle.

Overt Act Sixteen

On March 9, 2012, at 8:41 pm, Barbara Erica Rascon-Peña’s black 2009 Dodge Ram pickup truck, which contained a hidden load of marijuana, passed the New Mexico Highway 185 checkpoint, north of Las Cruces, New Mexico, headed north with two occupants in the vehicle.

Overt Act Seventeen

On March 9, 2012, David Garcia, Jr. and Gilbert Hinojosa escorted the load of marijuana from Las Cruces, New Mexico, to Denver, Colorado, where they met with Adrian Ordoñez, who extracted the marijuana from the hidden compartment in the black 2009 Dodge Ram pickup truck.

Overt Act Eighteen

On March 11, 2012, Adrian Ordoñez told David Garcia, Jr. that the small hidden compartment took a long time to dismantle and that Adrian Ordoñez was just starting to dismantle the large one at Adrian Ordoñez’s house.

Overt Act Nineteen

On March 12, 2012, at 1:57 pm, Barbara Erica Rascon-Peña's black 2009 Dodge Ram pickup truck – a load vehicle – passed the United States Highway 54 checkpoint, south of Alamogordo, New Mexico, headed south.

Overt Act Twenty

From March 11, 2012, to March 17, 2012, David Garcia, Jr., Gilbert Hinojosa, and Leonel Molinar, Jr. stayed in Denver, Colorado, with Adrian Ordoñez, having a global positioning system (GPS) installed in a load vehicle, while the vehicle was loaded with drug proceeds.

Overt Act Twenty-One

On March 17, 2012, Gilbert Hinojosa told David Garcia, Jr. that he was still waiting on some drug proceeds in Denver, Colorado, and that Gilbert Hinojosa would drive the “regular” truck back.

Overt Act Twenty-Two

On March 17, 2012, David Garcia, Jr. and Carlos Alberto Luis Calderon drove together from Denver, Colorado, back to Las Cruces, New Mexico, and Carlos Alberto Luis Calderon crossed into Mexico that night, returning to the United States just after midnight on March 18, 2012, at the Ysleta Port of Entry.

Overt Act Twenty-Three

On March 18, 2012, Gilbert Hinojosa told Leonel Molinar, Jr. that he and Adrian Ordoñez were finishing them off right now, and were almost done.

Overt Act Twenty-Four

On March 18, 2012, David Garcia, Jr. told Gilbert Hinojosa that he was going to Mexico, that they were probably going "up there with this one," and that he would pass Gilbert Hinojosa on the way there and give Gilbert Hinojosa a high five.

Overt Act Twenty-Five

On March 19, 2012, Gilbert Hinojosa told David Garcia, Jr. to advise Eidolfo Dominguez-Lopez that Gilbert Hinojosa was leaving Denver, Colorado.

Overt Act Twenty-Six

On March 19, 2012, Leonel Molinar, Jr. told Gilbert Hinojosa there should be an envelope in the center console and two more envelopes in the glove box, and directed Gilbert Hinojosa to keep them with Gilbert Hinojosa at all times.

Overt Act Twenty-Seven

On March 19, 2012, Gilbert Hinojosa told an associate that he was interested in buying good security cameras and bullet proof vests.

Overt Act Twenty-Eight

On March 19, 2012, Gilbert Hinojosa told Leonel Molinar, Jr. that Gilbert Hinojosa was in Santa Fe, New Mexico, and Leonel Molinar, Jr. said he would tell Eidolfo Dominguez-Lopez.

Overt Act Twenty-Nine

On March 19, 2012, Gilbert Hinojosa told David Garcia, Jr. that Gilbert Hinojosa could cross the "receipts" (drug proceeds) into Mexico, even though Gilbert Hinojosa did not have a passport.

Overt Act Thirty

On March 19, 2012, Barbara Erica Rascon-Peña crossed from Mexico into the United States driving a black 2009 Dodge Ram pickup truck – a load vehicle – at the Ysleta Port of Entry in El Paso, Texas, escorted by Giselle Liset Aragon, who crossed at the same time in a second vehicle, and on March 21, 2012, the black 2009 Dodge Ram pickup truck passed through the New Mexico Highway 185 checkpoint, northbound.

Overt Act Thirty-One

On March 20, 2012, Gilbert Hinojosa told Leonel Molinar, Jr. that Gilbert Hinojosa would bring Leonel Molinar, Jr. “the envelope.”

Overt Act Thirty-Two

On March 20, 2012, Gilbert Hinojosa told an unknown man that “white girls” (cocaine) were not readily available because Gilbert Hinojosa was just getting situated, and that he could not find the man a drug courier at that time, as all Gilbert Hinojosa’s people were working.

Overt Act Thirty-Three

On March 23, 2012, David Garcia, Jr., Martha Denise Gomez, and Gilbert Hinojosa detected law enforcement surveillance in Las Cruces, New Mexico, and David Garcia, Jr. directed Martha Denise Gomez and Gilbert Hinojosa to be careful, telling Gilbert Hinojosa, “You know what to do, this ain’t your first time.”

Overt Act Thirty-Four

On the night of March 23, 2012, Leonel Molinar, Jr. drove from Denver, Colorado, to El Paso, Texas, in Barbara Erica Rascon-Peña’s black 2009 Dodge Ram pickup truck, a load vehicle.

Overt Act Thirty-Five

On March 26, 2012, Leonel Molinar, Jr. and Gilbert Hinojosa coordinated the delivery of money from Eidolfo Dominguez-Lopez to El Paso, Texas, to pay for David Garcia, Jr., Carlos Alberto Luis Calderon, and Cristobal Estrada Ortiz's legal fees related to their February 9, 2012, arrest in Iowa.

Overt Act Thirty-Six

On March 27, 2012, Gilbert Hinojosa, in trying to recruit a mother to work as a drug courier, told the unknown woman that a part-time driver for the organization made "almost 33" a month, and that some drivers took their children along when they transported drug loads, home-schooling and bringing their children's homework with them.

Overt Act Thirty-Seven

On March 27, 2012, the registration of the blue 2003 Dodge Ram pickup truck— a load vehicle — was transferred from Carlos Alberto Luis Calderon to Omar Macias.

Overt Act Thirty-Eight

Between March 28, and April 7, 2012, at Leonel Molinar, Jr., David Garcia, Jr., and Gilbert Hinojosa's direction, Omar Macias conducted a series of "heat runs," crossing into the United States multiple times.

Overt Act Thirty-Nine

On March 29, 2012, David Garcia, Jr. directed Omar Macias to cross two times that day, explaining that he wanted to "tire them out," so they "know we are innocent."

Overt Act Forty

On March 31, 2012, Barbara Erica Rascon-Peña crossed from Mexico into the United States driving the black 2009 Dodge Ram pickup truck – a load vehicle – at the Ysleta Port of Entry, El Paso, Texas, followed by Giselle Liset Aragon a short time later in a second vehicle, and on April 1, 2012, the black 2009 Dodge Ram passed through the New Mexico Highway 185 checkpoint, northbound.

Overt Act Forty-One

On April 1, 2012, Gilbert Hinojosa told Adrian Ordoñez that Eídolfo Dominguez-Lopez was unhappy that the bumper on the white truck was cockeyed, and told Adrian Ordoñez to check everything on “the other one.”

Overt Act Forty-Two

On April 10, 2012, Leonel Molinar, Jr. and David Garcia, Jr. complained about Armando LNU and Luis Joaquin Maldonado-Rodriguez getting paid more than they did, and Leonel Molinar, Jr. said that as soon as “the trucks” were in, Leonel Molinar, Jr. was going to ask Eídolfo Dominguez-Lopez for money.

Overt Act Forty-Three

On April 10, 2012, David Garcia, Jr. asked Gustavo Alcantar-Avitia if he had a buyer in Denver, Colorado, for 60 pounds of marijuana, at a price of \$450 per pound, and Gustavo Alcantar-Avitia said he did, and proceeded to tell David Garcia, Jr. that Gustavo Alcantar-Avitia might have an opportunity to order bulk-quantity cocaine.

Overt Act Forty-Four

Later on April 10, 2012, Gustavo Alcantar-Avitia asked David Garcia, Jr. whether David Garcia, Jr. had 100 pounds of marijuana available in Denver, Colorado, and David Garcia, Jr. said he had 400 pounds of marijuana, and had a buddy who had about 1,000 pounds.

Overt Act Forty-Five

On April 12, 2012, Omar Macias crossed between 28 kilograms and 45 kilograms (60 to 100 pounds) of marijuana from Mexico into the United States at the Ysleta Port of Entry in El Paso, Texas, inside the blue 2003 Dodge Ram pickup truck, and a short time later passed through the New Mexico Highway 185 checkpoint, headed north.

Overt Act Forty-Six

On April 12, 2012, Leonel Molinar, Jr. escorted the marijuana load driven by Omar Macias from Las Cruces, New Mexico, to Adrian Ordoñez's house in Denver, Colorado.

Overt Act Forty-Seven

On April 12, 2012, Leonel Molinar, Jr. detected law enforcement surveillance near Adrian Ordoñez's house, and conducted aggressive counter surveillance, following an agent's unmarked vehicle for approximately five miles.

Overt Act Forty-Eight

On April 12, and April 13, 2012, Adrian Ordoñez dismantled the hidden compartments of Omar Macias's load vehicle to obtain the marijuana.

Overt Act Forty-Nine

On April 12, 2012, Martha Denise Gomez became the account manager for the account associated with Carlos Alberto Luis Calderon's cellular telephone, which he used to facilitate the organization's drug trafficking activities, so that she could pay Carlos Alberto Luis Calderon's telephone bills, and control his account.

Overt Act Fifty

On April 13, 2012, Barbara Erica Rascon-Peña and Giselle Liset Aragon were arrested at the Ysleta Port of Entry, El Paso, Texas, when 177 pounds of marijuana were found in a hidden compartment in the black 2009 Dodge Ram pickup truck, which Barbara Erica Rascon-Peña was driving, and Giselle Liset Aragon, who was driving a second vehicle, entered the Ysleta Port of Entry a few minutes after Barbara Erica Rascon-Peña.

Overt Act Fifty-One

On April 13, 2012, Eidolfo Dominguez-Lopez told David Garcia, Jr. to go to the Ysleta Port of Entry, El Paso, Texas, because there had been a problem with Barbara Erica Rascon-Peña, and advised that the black 2009 Dodge Ram pickup truck and Giselle Liset Aragon were still there.

Overt Act Fifty-Two

On April 13, 2012, David Garcia, Jr. told Martha Denise Gomez that Giselle Liset Aragon was not answering her telephone, and to pray, be careful, and check to make sure law enforcement was not following her.

Overt Act Fifty-Three

On April 13, 2012, Eidolfo Dominguez-Lopez, David Garcia, Jr., and an unknown associate traveled to the vicinity of the Ysleta Port of Entry, El Paso, Texas, and tried to obtain more information about the whereabouts of the black 2009 Dodge Ram load vehicle that Barbara Erica Rascon-Peña had been driving when she was arrested.

Overt Act Fifty-Four

On April 13, and April 14, 2012, Eidolfo Dominguez-Lopez, Leonel Molinar, Jr., and David Garcia, Jr. worked together to post bond for Barbara Erica Rascon-Peña and Giselle Liset Aragon and retain counsel for the two women.

Overt Act Fifty-Five

On April 17, 2012, Leonel Molinar, Jr. told David Garcia, Jr. that David Garcia, Jr. should send Gilbert Hinojosa to get the money, but David Garcia, Jr. said that he had already sent Martha Denise Gomez.

Overt Act Fifty-Six

On April 18, 2012, Martha Denise Gomez registered a new cellular telephone under her telephone account for Leonel Molinar, Jr., which he later used to facilitate the organization's drug trafficking activities.

Overt Act Fifty-Seven

On April 23, 2012, Leonel Molinar, Jr. and David Garcia, Jr. agreed that David Garcia, Jr., Carlos Alberto Luis Calderon, and Cristobal Estrada Ortiz needed to resolve the Iowa case quickly to avoid law enforcement connecting the February 9, 2012, and the April 13, 2012, seizures of marijuana.

Overt Act Fifty-Eight

On April 23, 2012, David Garcia, Jr. told Leonel Molinar, Jr. to tell Eidolfo Dominguez-Lopez that David Garcia, Jr. needed to pay David Garcia, Jr.'s lawyer \$1,500 the next day.

Overt Act Fifty-Nine

On April 29, 2012, Carlos Alberto Luis Calderon was considering working for another drug trafficking organization, and David Garcia, Jr. counseled Carlos Alberto Luis Calderon against that, noting that Eidolfo Dominguez-Lopez's organization paid for jail bonds and attorneys for David Garcia, Jr., Carlos Alberto Luis Calderon, and Cristobal Estrada Ortiz, and that they would not abandon Carlos Alberto Luis Calderon.

Overt Act Sixty

On May 1, 2012, Leonel Molinar, Jr. told David Garcia, Jr. that Barbara Erica Rascon-Peña's attorney and Giselle Liset Aragon's attorney were talking, and that he would explain more to David Garcia, Jr. when they met in person.

Overt Act Sixty-One

On May 1, 2012, David Garcia, Jr. told Eidolfo Dominguez-Lopez that David Garcia, Jr. had received "good news" from the lawyer, and that David Garcia, Jr. would explain when David Garcia, Jr. and Eidolfo Dominguez-Lopez met in person later that day.

Overt Act Sixty-Two

On May 8, 2012, Gustavo Alcantar-Avitia told David Garcia, Jr. that the cocaine was about to arrive from the south and it was good, to which David Garcia, Jr. said that next time Gustavo Alcantar-Avitia should call David Garcia, Jr. right away .

Overt Act Sixty-Three

On May 9, 2012, David Garcia, Jr. repeatedly conducted "heat runs" in an effort to try and detect law enforcement surveillance in Las Cruces, New Mexico.

Overt Act Sixty-Four

On June 7, 2012, Eidolfo Dominguez-Lopez asked Leonel Molinar, Jr. how court went, and Leonel Molinar, Jr. advised Eidolfo Dominguez-Lopez about the status of Barbara Erica Rascon-Peña and Giselle Liset Aragon's court dates, and advised that Barbara Erica Rascon-Peña was going to plead guilty because doing so would be advantageous for Giselle Liset Aragon.

Overt Act Sixty-Five

On June 11, 2012, Eidolfo Dominguez-Lopez and Paquito LNU discussed whether Dodge Avengers would make good load vehicles, and Paquito LNU reminded Eidolfo Dominguez-Lopez about the time they took apart a Dodge Avenger and observed the large natural void in that vehicle.

Overt Act Sixty-Six

On June 13, 2012, Jose LNU asked Eidolfo Dominguez-Lopez whether Eidolfo Dominguez-Lopez knew anyone in Oklahoma who could help "Ochenta," but Eidolfo Dominguez-Lopez told Jose LNU that he quit working in Oklahoma because David Garcia, Jr. got caught there once.

Overt Act Sixty-Seven

On June 16, 2012, "Ochenta," told Eidolfo Dominguez-Lopez that he had 100 pounds of marijuana in Mexico, and Eidolfo Dominguez-Lopez agreed to send Armando LNU to assess the marijuana's quality.

Overt Act Sixty-Eight

On June 16, 2012, Eidolfo Dominguez-Lopez told David Garcia, Jr. that he could not get insurance on a truck because the company wanted to see the vehicle, and David Garcia, Jr. advised that Martha Denise Gomez was able to insure the truck online.

Overt Act Sixty-Nine

On June 17, 2012, David Garcia, Jr. told Carlos Alberto Luis Calderon that Giselle Liset Aragon was fired and told Carlos Alberto Luis Calderon not to communicate with her because she was a traitor.

Overt Act Seventy

On June 17, 2012, Eidolfo Dominguez-Lopez, Leonel Molinar, Jr., and Gilbert Hinojosa traveled to Los Lunas, New Mexico, and Leonel Molinar, Jr. transported an unknown amount of narcotics.

Overt Act Seventy-One

On June 22, 2012, Eidolfo Dominguez-Lopez directed Leonel Molinar, Jr. to be careful about what Leonel Molinar, Jr. told David Garcia, Jr., and directed Leonel Molinar, Jr. to advise Gilbert Hinojosa to do the same.

Overt Act Seventy-Two

On June 26, 2012, David Garcia, Jr. directed Martha Denise Gomez to buy a SIM card, noting that Eidolfo Dominguez-Lopez had given David Garcia, Jr. \$100 for a new one, and Martha Denise Gomez later asked David Garcia, Jr. what area code he wanted.

Overt Act Seventy-Three

On June 27, 2012, "Ochenta," told Eidolfo Dominguez-Lopez that he would help Eidolfo Dominguez-Lopez with another 50 pounds of marijuana, and Eidolfo Dominguez-Lopez said he would repay him later that month.

Overt Act Seventy-Four

On July 2, 2012, Omar Macias crossed approximately 71 kilograms (157 pounds) of marijuana from Mexico into the United States inside a blue 2002 Dodge Ram pickup truck – a load vehicle – registered in his name, at the Ysleta Port of Entry in El Paso, Texas.

Overt Act Seventy-Five

On July 4, 2012, Leonel Molinar, Jr. and David Garcia, Jr. discussed that Eidolfo Dominguez-Lopez wanted to leave, and Leonel Molinar, Jr. said that he would tell Omar Macias to leave now, too.

Overt Act Seventy-Six

On July 4, 2012, Leonel Molinar, Jr. told David Garcia, Jr. that he was going to Deming, Hatch, and then back to Las Cruces, New Mexico, on "a mission."

Overt Act Seventy-Seven

On July 4, 2012, Leonel Molinar, Jr. drove west from Las Cruces, New Mexico, through the United States Border Patrol checkpoint on Interstate 10, then turned around at the first exit past the checkpoint, and returned to Las Cruces, New Mexico.

Overt Act Seventy-Eight

On July 4, 2012, Eidolfo Dominguez-Lopez, Leonel Molinar, Jr., and David Garcia, Jr., drove from Las Cruces, New Mexico, to Denver, Colorado, escorting the load of marijuana that Omar Macias was transporting.

Overt Act Seventy-Nine

On July 5, 2012, Adrian Ordoñez advised Eidolfo Dominguez-Lopez that “the ones on the top of the transmission” had arrived wet and that he had punctured one because it was stuck, to which Eidolfo Dominguez-Lopez responded that he was en route.

Overt Act Eighty

On July 5, 2012, David Garcia, Jr. told Gustavo Alcantar-Avitia that the marijuana had arrived in Denver, Colorado, and asked whether an unknown buyer would be interested, and later confirmed with Gustavo Alcantar-Avitia that there were only 70 pounds of marijuana left.

Overt Act Eighty-One

On July 6, 2012, Gustavo Alcantar-Avitia told David Garcia, Jr. that he had a buyer for the remaining 70 pounds of marijuana, and David Garcia, Jr. agreed to sell them for \$430 per pound, telling Gustavo Alcantar-Avitia that was a low price in Denver, Colorado.

Overt Act Eighty-Two

On July 11, 2012, Gustavo Alcantar-Avitia told David Garcia, Jr. to tell Eidolfo Dominguez-Lopez that the deposits – to repay a \$10,000 loan from Eidolfo Dominguez-Lopez – would be made that afternoon, but David Garcia, Jr. told Gustavo Alcantar-Avitia he would not do so until the deposits had actually been made.

Overt Act Eighty-Three

On July 11, 2012, Gustavo Alcantar-Avitia asked Leonel Molinar, Jr. and David Garcia, Jr. to clarify the account numbers into which the money should be deposited.

Overt Act Eighty-Four

On July 11, 2012, at Gustavo Alcantar-Avitia's direction, a drug trafficking associate of Gustavo Alcantar-Avitia's made two \$5,000 deposits of drug proceeds in Minneapolis, Minnesota, into two bank accounts: one controlled by Leonel Molinar, Jr., and the other controlled by Martha Denise Gomez.

Overt Act Eighty-Five

On July 11, 2012, Leonel Molinar, Jr. told David Garcia, Jr. to check Martha Denise Gomez's account, because the money had already been deposited into Leonel Molinar, Jr.'s account.

Overt Act Eighty-Six

On July 11, 2012, Gustavo Alcantar-Avitia told Leonel Molinar, Jr. that the first \$5,000 was deposited, and Gustavo Alcantar-Avitia's associate was traveling to another bank to make the other deposit.

Overt Act Eighty-Seven

On July 11, 2012, when David Garcia, Jr. asked if the deposit was made in cash, Gustavo Alcantar-Avitia confirmed that it was, and David Garcia, Jr. told Gustavo Alcantar-Avitia that the bank did not want to give Martha Denise Gomez the money.

Overt Act Eighty-Eight

On July 11, 2012, Martha Denise Gomez, at the direction of David Garcia, Jr., withdrew \$5,000 of drug proceeds from her Wells Fargo bank account in Las Cruces, New Mexico, which

Gustavo Alcantar-Avitia and David Garcia, Jr. had arranged to be deposited in her account to repay a debt that Gustavo Alcantar-Avitia owed Eidolfo Dominguez-Lopez.

Overt Act Eighty-Nine

On July 11, 2012, David Garcia, Jr. told Eidolfo Dominguez-Lopez that he had \$5,000 in hand, and Eidolfo Dominguez-Lopez told David Garcia, Jr. to give him the money the next day.

Overt Act Ninety

On July 13, 2012, at Eidolfo Dominguez-Lopez's direction and with Martha Denise Gomez's assistance, David Garcia, Jr. exchanged one blue Dodge Ram pickup truck for a second blue Dodge Ram pickup truck at Omar Macias's house.

Overt Act Ninety-One

On July 15, 2012, Eidolfo Dominguez-Lopez told Armando LNU to tell "Ochenta," to proceed with a home invasion in Mexico, and directed Armando LNU to wear all black and a hood, to bring Luis Joaquin Maldonado-Rodriguez, and to tell the victims that Armando LNU was there as revenge for an arrest of an unknown drug trafficking associate.

Overt Act Ninety-Two

On July 17, 2012, Leonel Molinar, Jr. withdrew \$4,900 of drug proceeds from his Wells Fargo bank account in Las Cruces, New Mexico, which was repayment of the remaining money Gustavo Alcantar-Avitia owed Eidolfo Dominguez-Lopez.

Overt Act Ninety-Three

On July 26, 2012, David Garcia, Jr. told Cristobal Estrada Ortiz that Eidolfo Dominguez-Lopez would likely have work for Cristobal Estrada Ortiz by August 6, 2012.

Overt Act Ninety-Four

On July 26, 2012, Eidolfo Dominguez-Lopez advised Luis Joaquin Maldonado-Rodriguez that some of the marijuana that Luis Joaquin Maldonado-Rodriguez packed had arrived in poor condition, and directed Luis Joaquin Maldonado-Rodriguez to tell "them" to compress the marijuana more.

Overt Act Ninety-Five

On July 27, 2012, Omar Macias was arrested at the Ysleta Port of Entry, El Paso, Texas, when 71 kilograms (157 pounds) of marijuana were found inside a hidden compartment in the vehicle he was driving: the blue 2002 Dodge Ram pickup truck.

Overt Act Ninety-Six

On July 27, 2012, Leonel Molinar, Jr. told Armando LNU that Omar Macias's load of marijuana had been seized, and Armando LNU asked whether Eidolfo Dominguez-Lopez was upset, to which Leonel Molinar, Jr. said that seizures were part of the trade.

Overt Act Ninety-Seven

On July 27, 2012, David Garcia, Jr. asked Gustavo Alcantar-Avitia for a loan on Eidolfo Dominguez-Lopez's behalf because the organization had lost a load of narcotics.

Overt Act Ninety-Eight

On July 27, 2012, Eidolfo Dominguez-Lopez and Armando LNU discussed why Omar Macias's load of marijuana had been detected, and Armando LNU insisted that he had used all new bolts.

Overt Act Ninety-Nine

On July 27, 2012, Eidolfo Dominguez-Lopez told Leonel Molinar, Jr. that Omar Macias needed to be patient, and that bonding Omar Macias out of jail before the next Monday would make it appear that Omar Macias was involved in drug trafficking since he had access to enough money to make bail.

Overt Act One Hundred

On July 28, 2012, David Garcia, Jr. told Gustavo Alcantar-Avitia that he thought Omar Macias's arrest was the result of an informant in Mexico cooperating with law enforcement.

Overt Act One Hundred One

On July 28, 2012, David Garcia, Jr. told a female associate that he was a drug trafficker and that he had worked for Eidolfo Dominguez-Lopez for 10 years.

Overt Act One Hundred Two

On August 2, 2012, at 10:38 p.m., Mauricio Chaparro and Michelle Marquez crossed approximately 27 kilograms (60 pounds) of marijuana into the United States in a purple 2000 Ford F-150 pickup truck - a load vehicle - registered in Michelle Marquez's name, at the Santa Teresa, New Mexico, Port of Entry.

Overt Act One Hundred Three

On August 2, 2012, Leonel Molinar, Jr. traveled to the intersection of Artcraft and Interstate 10 to observe as Mauricio Chaparro and Michelle Marquez transported the load of marijuana.

Overt Act One Hundred Four

On August 2, 2012, Eidolfo Dominguez-Lopez traveled towards Santa Teresa, New Mexico, to observe Mauricio Chaparro and Michelle Marquez transport the load of marijuana.

Overt Act One Hundred Five

On August 2, 2012, Leonel Molinar, Jr. told Mauricio Chaparro to cover up the purple 2000 Ford F-150 pickup truck and keep the load truck out of the sun.

Overt Act One Hundred Six

On August 4, 2012, Mauricio Chaparro and Michelle Marquez transported 27 kilograms (60 pounds) of marijuana in the purple 2000 Ford F-150 pickup truck from Las Cruces, New Mexico, to Denver, Colorado, with Leonel Molinar, Jr. and Gilbert Hinojosa escorting the load.

Overt Act One Hundred Seven

On August 4, 2012, Adrian Ordoñez booked a hotel room for Michelle Marquez in Denver, Colorado.

Overt Act One Hundred Eight

On August 4, and August 5, 2012, Adrian Ordoñez dismantled the purple 2000 Ford F-150 pickup truck's hidden compartment(s) and extracted the marijuana in Denver, Colorado.

Overt Act One Hundred Nine

On August 5, 2012, Eidolfo Dominguez-Lopez directed Leonel Molinar, Jr. not to tell Mauricio Chaparro that Eidolfo Dominguez-Lopez was involved in the drug load that Mauricio Chaparro and Michelle Marquez had crossed into the United States on August 2, 2012.

Overt Act One Hundred Ten

On August 5, 2012, Mauricio Chaparro and Michelle Marquez left Denver, Colorado, driving the purple 2000 Ford F-150 pickup truck, arriving in Las Cruces, New Mexico, early the next morning.

Overt Act One Hundred Eleven

On August 5, 2012, Armando LNU told Eidolfo Dominguez-Lopez that he had unburied a stash of Eidolfo Dominguez-Lopez's weapons, and advised Eidolfo Dominguez-Lopez that the stash included an AR-15 rifle, one 37, two additional weapons (one with a silencer and one without a silencer), and two Uzis.

Overt Act One Hundred Twelve

On August 9, 2012, Eidolfo Dominguez-Lopez told Leonel Molinar, Jr. to send Giselle Liset Aragon to transport an unknown vehicle from Mexico into the United States.

Overt Act One Hundred Thirteen

On August 14, 2012, Mauricio Chaparro and Michelle Marquez conducted a "heat run" in the purple 2000 Ford F-150 pickup truck – a load vehicle – through the Columbus, New Mexico, Port of Entry.

Overt Act One Hundred Fourteen

On August 14, 2012, Mauricio Chaparro took the purple 2000 Ford F-150 pickup truck – a load vehicle – to Mexico, and then crossed back into the United States without the vehicle, at which time Leonel Molinar, Jr. gave Mauricio Chaparro a ride from El Paso, Texas, to Las Cruces, New Mexico.

Overt Act One Hundred Fifteen

On August 16, 2012, Leonel Molinar, Jr. advised Armando LNU that Eidolfo Dominguez-Lopez was not happy with Luis Joaquin Maldonado-Rodriguez's drug wrapping, and Armando LNU told Leonel Molinar, Jr. that he planned to use a different type of tape.

Overt Act One Hundred Sixteen

On August 23, 2012, Mauricio Chaparro and Michelle Marquez were arrested at the Santa Teresa, New Mexico, Port of Entry, when 27 kilograms (60 pounds) of marijuana were found inside a hidden compartment in the vehicle that they were traveling in: the purple 2000 Ford F-150 pickup truck.

Overt Act One Hundred Seventeen

On August 24, 2012, David Garcia, Jr. told an unknown man that Eidolfo Dominguez-Lopez would provide \$2,000 for the man to post bond for Mauricio Chaparro.

Overt Act One Hundred Eighteen

On August 25, 2012, Leonel Molinar, Jr. advised Alex LNU that the organization had lost another load, and Alex LNU encouraged Leonel Molinar, Jr. to keep working hard.

Overt Act One Hundred Nineteen

On August 29, 2012, Adrian Ordoñez told Leonel Molinar, Jr. that he was now armed and that guys he knew had been busted, saying that if the drug trade was easy everyone would do it.

Overt Act One Hundred Twenty

On September 7, 2012, Eidolfo Dominguez-Lopez directed Leonel Molinar, Jr. to transfer the registration of the white 2012 Dodge Ram pickup truck – which Cristobal Estrada Ortiz paid \$30,000 cash for on January 23, 2012 – from Cristobal Estrada Ortiz to Leonel Molinar, Jr., and directed Cristobal Estrada Ortiz to state that he sold the truck to Leonel Molinar, Jr.

Overt Act One Hundred Twenty-One

On September 7, 2012, Leonel Molinar, Jr. advised Eidolfo Dominguez-Lopez that the load vehicle was ready in Ciudad Juarez and that the only thing left to do was for Armando LNU to hide the work done to the truck.

Overt Act One Hundred Twenty-Two

On September 8, 2012, Leonel Molinar, Jr. advised Armando LNU that Leonel Molinar, Jr. had secreted a firearm and some ammunition in a vehicle that Cristobal Estrada Ortiz had taken to Armando LNU in Mexico.

Overt Act One Hundred Twenty-Three

On September 13, 2012, David Garcia, Jr. and Gustavo Alcantar-Avitia discussed when a cocaine shipment would arrive, but David Garcia, Jr. advised Gustavo Alcantar-Avitia that he had to wait until Eidolfo Dominguez-Lopez returned from Mexico.

Overt Act One Hundred Twenty-Four

On September 16, 2012, Jesus Manuel Veleta-Gastelum was arrested at the Columbus, New Mexico, Port of Entry, when 74.8 kilograms (164.5 pounds) of marijuana were found inside a hidden compartment in the vehicle he was driving: a white 2010 Dodge Ram pickup truck.

Overt Act One Hundred Twenty-Five

On September 16, 2012, Leonel Molinar, Jr. advised Armando LNU that Jesus Manuel Veleta-Gastelum had been apprehended at the border, and then directed Adrian Ordoñez to send another load vehicle to New Mexico for the organization.

In violation of 21 U.S.C. § 846.

Count 2

Beginning on or about January 23, 2012, and continuing to on or about September 7, 2012, in Doña Ana County, District of New Mexico, and elsewhere, the defendants, **EIDOLFO DOMINGUEZ-LOPEZ, a/k/a Palemon Lopez-Romo, a/k/a "Lindo," LEONEL MOLINAR, JR., a/k/a "Mosquito," a/k/a "Moyote," DAVID GARCIA, JR., GUSTAVO ALCANTAR-AVITIA, CRISTOBAL ESTRADA ORTIZ, a/k/a "Don Chris," a/k/a "Don Christ," and MARTHA DENISE GOMEZ**, did knowingly combine, conspire, and agree with other persons whose names are known and unknown to the Grand Jury to commit offenses against the United States contrary to 18 U.S.C. § 1956(a)(1)(B), specifically: knowingly conducting financial transactions affecting interstate commerce, which involved the proceeds of specified unlawful activity, specifically, conspiracy to possess with intent to distribute marijuana and cocaine, contrary to 21 U.S.C. § 846, knowing that the transactions were designed in whole or in part to conceal and disguise the nature, location, source, ownership, or control of the proceeds of specified unlawful activity, and to avoid a transaction reporting requirement under federal law, and that while conducting such financial transactions, knew that the property involved in the financial transactions represented the proceeds of some form of unlawful activity.

Overt Acts

In furtherance of the conspiracy, and to accomplish the objectives of the conspiracy, the following acts, among others, were committed:

Overt Act One

On January 23, 2012, Cristobal Estrada Ortiz used \$30,000 of cash drug proceeds as partial payment for a white 2012 Dodge Ram pickup truck, the total purchase price of which was \$48,723, from a car dealership in Denver, Colorado.

Overt Act Two

On February 10, 2012, Martha Denise Gomez sent two \$7,500 wire transfers, totaling \$15,000, from Las Cruces, New Mexico, to Cass County, Iowa, to post bond for David Garcia, Jr., Carlos Alberto Luis Calderon, and Cristobal Estrada Ortiz.

Overt Act Three

On July 11, 2012, Gustavo Alcantar-Avitia directed a drug trafficking associate to make two \$5,000 cash deposits of drug proceeds in Minneapolis, Minnesota, into two bank accounts: one in the name of Leonel Molinar, Jr., and the other in the name of Martha Denise Gomez.

Overt Act Four

On July 11, 2012, Martha Denise Gomez, at the direction of David Garcia, Jr., withdrew \$5,000 of drug proceeds from the Wells Fargo bank account in her name in Las Cruces, New Mexico, which Gustavo Alcantar-Avitia and David Garcia, Jr. had arranged to be deposited in her account to repay a debt that Gustavo Alcantar-Avitia owed Eidolfo Dominguez-Lopez.

Overt Act Five

On July 17, 2012, Leonel Molinar, Jr. withdrew \$4,900 of drug proceeds from the Wells Fargo bank account in his name in Las Cruces, New Mexico, which was repayment of the remaining money Gustavo Alcantar-Avitia owed Eidolfo Dominguez-Lopez.

Overt Act Six

On September 7, 2012, Eidolfo Dominguez-Lopez directed Leonel Molinar, Jr. to transfer the registration of the white 2012 Dodge Ram pickup truck – for which Cristobal Estrada Ortiz had paid \$30,000 cash as partial payment on January 23, 2012 – from Cristobal Estrada Ortiz to Leonel Molinar, Jr., and directed Cristobal Estrada Ortiz to state that he sold the truck to Leonel Molinar, Jr.

In violation of 18 U.S.C. § 1956(h).

Count 3

On or about February 10, 2012, in Doña Ana County, in the District of New Mexico, and elsewhere, the defendants, **DAVID GARCIA, JR.** and **MARTHA DENISE GOMEZ**, did knowingly conduct and attempt to conduct a financial transaction affecting interstate or foreign commerce, specifically, the wire transfer of \$7,500 which was the proceeds of specified unlawful activity, specifically, conspiracy to possess with intent to distribute marijuana and cocaine, contrary to 21 U.S.C. § 846, and that while conducting and attempting to conduct the financial transaction, knew that the transaction was designed in whole or part to avoid a transaction reporting requirement.

In violation of 18 U.S.C. § 1956(a)(1)(B)(ii), and 18 U.S.C. § 2.

Count 4

On or about February 10, 2012, in Doña Ana County, in the District of New Mexico, and elsewhere, the defendants, **DAVID GARCIA, JR.** and **MARTHA DENISE GOMEZ**, did knowingly conduct and attempt to conduct a financial transaction affecting interstate or foreign commerce, specifically, the wire transfer of \$7,500 which was the proceeds of specified unlawful activity, specifically, conspiracy to possess with intent to distribute marijuana and cocaine, contrary

to 21 U.S.C. § 846, and that while conducting and attempting to conduct the financial transaction, knew that the transaction was designed in whole or part to avoid a transaction reporting requirement.

In violation of 18 U.S.C. § 1956(a)(1)(B)(ii), and 18 U.S.C. § 2.

Count 5

On or about March 11, 2012, in Doña Ana County, in the District of New Mexico, and elsewhere, the defendants, **DAVID GARCIA, JR.**, **GILBERT HINOJOSA**, and **ADRIAN ORDOÑEZ**, unlawfully, knowingly and intentionally did use a communication facility, specifically, a telephone, to further the commission of a drug trafficking crime, specifically, conspiracy to possess with intent to distribute controlled substances, a mixture and substance containing a detectable amount of marijuana and cocaine, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b), and 18 U.S.C. § 2.

Count 6

On or about March 20, 2012, in Doña Ana County, in the District of New Mexico, and elsewhere, the defendant, **GILBERT HINOJOSA**, unlawfully, knowingly and intentionally did use a communication facility, specifically, a telephone, to further the commission of a drug trafficking crime, specifically, conspiracy to possess with intent to distribute controlled substances, a mixture and substance containing a detectable amount of marijuana and cocaine, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b), and 18 U.S.C. § 2.

Count 7

On or about March 23, 2012, in Doña Ana County, in the District of New Mexico, and elsewhere, the defendants, **DAVID GARCIA, JR.** and **GILBERT HINOJOSA**, unlawfully, knowingly and intentionally did use a communication facility, specifically, a telephone, to further the commission of a drug trafficking crime, specifically, conspiracy to possess with intent to

distribute controlled substances, a mixture and substance containing a detectable amount of marijuana and cocaine, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b), and 18 U.S.C. § 2.

Count 8

On or about March 28, 2012, in Doña Ana County, in the District of New Mexico, and elsewhere, the defendants, **LEONEL MOLINAR, JR., aka "Mosquito", a/k/a "Moyote,"** and **DAVID GARCIA, JR.** unlawfully, knowingly and intentionally did use a communication facility, specifically, a telephone, to further the commission of a drug trafficking crime, specifically, conspiracy to possess with intent to distribute controlled substances, a mixture and substance containing a detectable amount of marijuana and cocaine, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b), and 18 U.S.C. § 2.

Count 9

On or about March 29, 2012, in Doña Ana County, in the District of New Mexico, and elsewhere, the defendants, **DAVID GARCIA, JR.** and **OMAR MACIAS**, unlawfully, knowingly and intentionally did use a communication facility, specifically, a telephone, to further the commission of a drug trafficking crime, specifically, conspiracy to possess with intent to distribute controlled substances, a mixture and substance containing a detectable amount of marijuana and cocaine, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b), and 18 U.S.C. § 2.

Count 10

On or about April 10, 2012, in Doña Ana County, in the District of New Mexico, and elsewhere, the defendants, **DAVID GARCIA, JR.** and **LEONEL MOLINAR, JR., aka**

“Mosquito”, a/k/a “Moyote,” unlawfully, knowingly and intentionally did use a communication facility, specifically, a telephone, to further the commission of a drug trafficking crime, specifically, conspiracy to possess with intent to distribute controlled substances, a mixture and substance containing a detectable amount of marijuana and cocaine, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b), and 18 U.S.C. § 2.

Count 11

On or about April 10, 2012, in Doña Ana County, in the District of New Mexico, and elsewhere, the defendants, **DAVID GARCIA, JR.** and **GUSTAVO ALCANTAR-AVITIA**, unlawfully, knowingly and intentionally did use a communication facility, specifically, a telephone, to further the commission of a drug trafficking crime, specifically, conspiracy to possess with intent to distribute controlled substances, a mixture and substance containing a detectable amount of marijuana and cocaine, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b), and 18 U.S.C. § 2.

Count 12

On or about April 10, 2012, in Doña Ana County, in the District of New Mexico, and elsewhere, the defendants, **DAVID GARCIA, JR.** and **GUSTAVO ALCANTAR-AVITIA**, unlawfully, knowingly and intentionally did use a communication facility, specifically, a telephone, to further the commission of a drug trafficking crime, specifically, conspiracy to possess with intent to distribute controlled substances, a mixture and substance containing a detectable amount of marijuana and cocaine, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b), and 18 U.S.C. § 2.

Count 13

On or about April 13, 2012, in Doña Ana County, in the District of New Mexico, and elsewhere, the defendants, **EIDOLFO DOMINGUEZ-LOPEZ, a/k/a Palemon Lopez-Romo, a/k/a "Lindo,"** and **DAVID GARCIA, JR.,** unlawfully, knowingly and intentionally did use a communication facility, specifically, a telephone, to further the commission of a drug trafficking crime, specifically, conspiracy to possess with intent to distribute controlled substances, a mixture and substance containing a detectable amount of marijuana and cocaine, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b), and 18 U.S.C. § 2.

Count 14

On or about April 29, 2012, in Doña Ana County, in the District of New Mexico, and elsewhere, the defendants, **DAVID GARCIA, JR.** and **CARLOS ALBERTO LUIS CALDERON,** unlawfully, knowingly and intentionally did use a communication facility, specifically, a telephone, to further the commission of a drug trafficking crime, specifically, conspiracy to possess with intent to distribute controlled substances, a mixture and substance containing a detectable amount of marijuana and cocaine, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b), and 18 U.S.C. § 2.

Count 15

On or about May 8, 2012, in Doña Ana County, in the District of New Mexico, and elsewhere, the defendants, **DAVID GARCIA, JR.** and **GUSTAVO ALCANTAR-AVITIA,** unlawfully, knowingly and intentionally did use a communication facility, specifically, a telephone, to further the commission of a drug trafficking crime, specifically, conspiracy to possess with intent

to distribute controlled substances, a mixture and substance containing a detectable amount of marijuana and cocaine, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b), and 18 U.S.C. § 2.

Count 16

On or about June 16, 2012, in Doña Ana County, in the District of New Mexico, and elsewhere, the defendant, **EIDOLFO DOMINGUEZ-LOPEZ, a/k/a Palemon Lopez-Romo, a/k/a “Lindo,”** unlawfully, knowingly and intentionally did use a communication facility, specifically, a telephone, to further the commission of a drug trafficking crime, specifically, conspiracy to possess with intent to distribute controlled substances, a mixture and substance containing a detectable amount of marijuana and cocaine, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b), and 18 U.S.C. § 2.

Count 17

On or about June 22, 2012, in Doña Ana County, in the District of New Mexico, and elsewhere, the defendants, **EIDOLFO DOMINGUEZ-LOPEZ, a/k/a Palemon Lopez-Romo, a/k/a “Lindo,”** and **LEONEL MOLINAR, JR., aka “Mosquito”, a/k/a “Moyote,”** unlawfully, knowingly and intentionally did use a communication facility, specifically, a telephone, to further the commission of a drug trafficking crime, specifically, conspiracy to possess with intent to distribute controlled substances, a mixture and substance containing a detectable amount of marijuana and cocaine, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b), and 18 U.S.C. § 2.

Count 18

On or about June 27, 2012, in Doña Ana County, in the District of New Mexico, and elsewhere, the defendant, **EIDOLFO DOMINGUEZ-LOPEZ, a/k/a Palemon Lopez-Romo, a/k/a "Lindo,"** unlawfully, knowingly and intentionally did use a communication facility, specifically, a telephone, to further the commission of a drug trafficking crime, specifically, conspiracy to possess with intent to distribute controlled substances, a mixture and substance containing a detectable amount of marijuana and cocaine, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b), and 18 U.S.C. § 2.

Count 19

On or about July 4, 2012, in Doña Ana County, in the District of New Mexico, and elsewhere, the defendants, **LEONEL MOLINAR, JR., aka "Mosquito", a/k/a "Moyote,"** and **DAVID GARCIA, JR.,** unlawfully, knowingly and intentionally did use a communication facility, specifically, a telephone, to further the commission of a drug trafficking crime, specifically, conspiracy to possess with intent to distribute controlled substances, a mixture and substance containing a detectable amount of marijuana and cocaine, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b), and 18 U.S.C. § 2.

Count 20

On or about July 11, 2012, in Doña Ana County, in the District of New Mexico, the defendant, **DAVID GARCIA, JR.,** did knowingly conduct and attempt to conduct a financial transaction affecting interstate or foreign commerce, specifically, the withdrawal of \$5,000 in currency which was the proceeds of specified unlawful activity, specifically, conspiracy to possess

with intent to distribute marijuana and cocaine, contrary to 21 U.S.C. § 846, while attempting to conceal or disguise the nature, location, source, or control of the specified unlawful activity.

In violation of 18 U.S.C. § 1956(a)(1)(B)(i), and 18 U.S.C. § 2.

Count 21

On or about July 17, 2012, in Doña Ana County, in the District of New Mexico, the defendant, **LEONEL MOLINAR, JR., aka "Mosquito", a/k/a "Moyote,"** did knowingly conduct and attempt to conduct a financial transaction affecting interstate or foreign commerce, specifically, the withdrawal of \$4,900 in currency which was the proceeds of specified unlawful activity, specifically, conspiracy to possess with intent to distribute marijuana and cocaine, contrary to 21 U.S.C. § 846, while attempting to conceal or disguise the nature, location, source, or control of the specified unlawful activity.

In violation of 18 U.S.C. § 1956(a)(1)(B)(i), and 18 U.S.C. § 2.

Count 22

On or about July 26, 2012, in Doña Ana County, in the District of New Mexico, the defendants, **EIDOLFO DOMINGUEZ-LOPEZ, a/k/a Palemon Lopez-Romo, a/k/a "Lindo,"** and **LUIS JOAQUIN MALDONADO-RODRIGUEZ, a/k/a Gustavo Castillo-Ramirez, a/k/a Heberto Villareal, a/k/a "Luisito,"** unlawfully, knowingly and intentionally did use a communication facility, specifically, a telephone, to further the commission of a drug trafficking crime, specifically, conspiracy to possess with intent to distribute controlled substances, a mixture and substance containing a detectable amount of marijuana and cocaine, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b), and 18 U.S.C. § 2.

Count 23

On or about July 27, 2012, in Doña Ana County, in the District of New Mexico, and elsewhere, the defendant, **EIDOLFO DOMINGUEZ-LOPEZ, a/k/a Palemon Lopez-Romo, a/k/a "Lindo,"** unlawfully, knowingly and intentionally did use a communication facility, specifically, a telephone, to further the commission of a drug trafficking crime, specifically, conspiracy to possess with intent to distribute controlled substances, a mixture and substance containing a detectable amount of marijuana and cocaine, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b), and 18 U.S.C. § 2.

Count 24

On or about July 27, 2012, in Doña Ana County, in the District of New Mexico, and elsewhere, the defendants, **EIDOLFO DOMINGUEZ-LOPEZ, a/k/a Palemon Lopez-Romo, a/k/a "Lindo,"** and **LEONEL MOLINAR, JR., aka "Mosquito", a/k/a "Moyote,"** unlawfully, knowingly and intentionally did use a communication facility, specifically, a telephone, to further the commission of a drug trafficking crime, specifically, conspiracy to possess with intent to distribute controlled substances, a mixture and substance containing a detectable amount of marijuana and cocaine, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b), and 18 U.S.C. § 2.

Count 25

On or about August 4, 2012, in Doña Ana County, in the District of New Mexico, and elsewhere, the defendants, **LEONEL MOLINAR, JR., aka "Mosquito", a/k/a "Moyote,"** and **ADRIAN ORDOÑEZ,** unlawfully, knowingly and intentionally did use a communication facility, specifically, a telephone, to further the commission of a drug trafficking crime, specifically,

conspiracy to possess with intent to distribute controlled substances, a mixture and substance containing a detectable amount of marijuana and cocaine, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b), and 18 U.S.C. § 2.

Count 26

On or about August 5, 2012, in Doña Ana County, in the District of New Mexico, and elsewhere, the defendants, **EIDOLFO DOMINGUEZ-LOPEZ, a/k/a Palemon Lopez-Romo, a/k/a "Lindo,"** and **LEONEL MOLINAR, JR., aka "Mosquito", a/k/a "Moyote,"** unlawfully, knowingly and intentionally did use a communication facility, specifically, a telephone, to further the commission of a drug trafficking crime, specifically, conspiracy to possess with intent to distribute controlled substances, a mixture and substance containing a detectable amount of marijuana and cocaine, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b), and 18 U.S.C. § 2.

Count 27

On or about August 9, 2012, in Doña Ana County, in the District of New Mexico, and elsewhere, the defendants, **EIDOLFO DOMINGUEZ-LOPEZ, a/k/a Palemon Lopez-Romo, a/k/a "Lindo,"** and **LEONEL MOLINAR, JR., aka "Mosquito", a/k/a "Moyote,"** unlawfully, knowingly and intentionally did use a communication facility, specifically, a telephone, to further the commission of a drug trafficking crime, specifically, conspiracy to possess with intent to distribute controlled substances, a mixture and substance containing a detectable amount of marijuana and cocaine, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b), and 18 U.S.C. § 2.

Count 28

On or about August 16, 2012, in Doña Ana County, in the District of New Mexico, and elsewhere, the defendant, **LEONEL MOLINAR, JR., aka "Mosquito", a/k/a "Moyote,"** unlawfully, knowingly and intentionally did use a communication facility, specifically, a telephone, to further the commission of a drug trafficking crime, specifically, conspiracy to possess with intent to distribute controlled substances, a mixture and substance containing a detectable amount of marijuana and cocaine, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b), and 18 U.S.C. § 2.

Count 29

On or about August 23, 2012, in Doña Ana County, in the District of New Mexico, the defendants, **MICHELLE MARQUEZ** and **MAURICIO CHAPARRO**, unlawfully, knowingly and intentionally possessed with intent to distribute a controlled substance, marijuana.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(D), and 18 U.S.C. § 2.

Count 30

On or about September 7, 2012, in Doña Ana County, in the District of New Mexico, and elsewhere, the defendants, **EIDOLFO DOMINGUEZ-LOPEZ, a/k/a Palemon Lopez-Romo, a/k/a "Lindo,"** and **LEONEL MOLINAR, JR., aka "Mosquito", a/k/a "Moyote,"** unlawfully, knowingly and intentionally did use a communication facility, specifically, a telephone, to further the commission of a drug trafficking crime, specifically, conspiracy to possess with intent to distribute controlled substances, a mixture and substance containing a detectable amount of marijuana and cocaine, contrary to 21 U.S.C. § 846.

In violation of 21 U.S.C. § 843(b), and 18 U.S.C. § 2.

Count 31

On or about September 16, 2012, in Luna County, in the District of New Mexico, the defendant, **JESUS MANUEL VELETA-GASTELUM**, unlawfully, knowingly and intentionally possessed with intent to distribute 50 kilograms and more of a mixture and substance containing a detectable amount of marijuana.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C), and 18 U.S.C. § 2.

FORFEITURE ALLEGATION

Counts 1 through 31 of this Indictment are incorporated as part of this section of the indictment as if fully re-alleged herein for the purpose of alleging forfeiture to the United States pursuant to 21 U.S.C. § 853 and 18 U.S.C. § 982(a)(1).

Upon conviction of any offense in violation of 21 U.S.C. § 846, the defendants, **EIDOLFO DOMINGUEZ-LOPEZ**, a/k/a Palemon Lopez-Romo, a/k/a "Lindo," **LEONEL MOLINAR, JR.**, a/k/a "Mosquito" a/k/a "Moyote," **DAVID GARCIA, JR.**, **GILBERT HINOJOSA**, **ADRIAN ORDOÑEZ**, **LUIS JOAQUIN MALDONADO-RODRIGUEZ**, a/k/a Gustavo Castillo-Ramirez, a/k/a Heberto Villareal, a/k/a "Luisito," **GUSTAVO ALCANTAR-AVITIA**, **CRISTOBAL ESTRADA ORTIZ**, a/k/a "Don Chris," a/k/a "Don Christ," **CARLOS ALBERTO LUIS CALDERON**, **MARTHA DENISE GOMEZ**, **BARBARA ERICA RASCON-PEÑA**, a/k/a Barbara Erica Peña, **GISELLE LISET ARAGON**, a/k/a "Gordita," **OMAR MACIAS**, **MICHELLE MARQUEZ**, **MAURICIO CHAPARRO**, and **JESUS MANUEL VELETA-GASTELUM**, shall forfeit to the United States pursuant to 21 U.S.C. § 853 any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of each offense for

which the defendants are convicted, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the said offenses.

Upon conviction of any offense in violation of 21 U.S.C. § 841, the defendants, **MICHELLE MARQUEZ, MAURICIO CHAPARRO, and JESUS MANUEL VELETA-GASTELUM**, shall forfeit to the United States pursuant to 21 U.S.C. § 853 any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of each offense for which the defendants are convicted, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the said offenses.

Upon conviction of any offense in violation of 18 U.S.C. § 1956, the defendants, **EIDOLFO DOMINGUEZ-LOPEZ, a/k/a Palemon Lopez-Romo, a/k/a "Lindo," LEONEL MOLINAR, JR., a/k/a "Mosquito" a/k/a "Moyote," DAVID GARCIA, JR., GUSTAVO ALCANTAR-AVITIA, CRISTOBAL ESTRADA ORTIZ, a/k/a "Don Chris," a/k/a "Don Christ," MARTHA DENISE GOMEZ**, shall forfeit to the United States pursuant to 18 U.S.C. § 982(a)(1) any property, real or personal, involved in such offense, or any property traceable to such property.

The property to be forfeited to the United States includes but is not limited to the following:

MONEY JUDGMENT

A sum of money equal to at least \$225,000 in United States currency, including any interest accruing to the date of the judgment, representing the amount of money derived from or involved in the offenses, or traceable to property involved in the offenses, for which the defendants are jointly and severally liable.

SUBSTITUTE ASSETS

If any of the above-described forfeitable property, as a result of any act or omission of the

Defendants:

- 1) cannot be located upon the exercise of due diligence;
- 2) has been transferred or sold to, or deposited with, a third party;
- 3) has been placed beyond the jurisdiction of the Court;
- 4) has been substantially diminished in value; or
- 5) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), 18 U.S.C. § 982(b) and 28 U.S.C. § 2461(c), to seek forfeiture of any other property of the Defendants up to the value of the forfeitable property described above.

A TRUE BILL:

151
FOREPERSON OF THE GRAND JURY

Andrea W. Harten
Assistant United States Attorney

RCW 09/20/12 8:09am